



TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 183]

CHENNAI, THURSDAY, MARCH 24, 2022
Panguni 10, Pilava, Thiruvalluvar Aandu-2053

Part VI—Section 2

Notifications or Orders of interest to a section of the public
issued by Heads of Departments, etc.

NOTIFICATIONS BY HEADS OF DEPARTMENTS, ETC.

TAMIL NADU STATE ELECTION COMMISSION, CHENNAI-600 106.

[ELECTIONS - URBAN LOCAL BODIES - INDIRECT ELECTIONS - ELECTION OF CHAIRMAN OF
SULEESWARANPATTI TOWN PANCHAYAT OF COIMBATORE DISTRICT - CONDUCT OF - NOTIFIED - DELETED.]

(S.O.No. 31/2022/TNSEC/ME-II, dated the 24th March 2022.)

READ:

1. S.O.No.5/2022/TNSEC/ME1 dated 26.1.2022 published in the *Tamil Nadu Government Gazette* Extraordinary No.69, dated 28.1.2022.
2. Letter received from the District Election Officer/District Collector, Coimbatore District Rc.No.4104/2021/ கொடி dated 4.3.2022 along with the report of Returning Officer, Suleeswaranpatti Town Panchayat.
3. S.O.No.26/2022/TNSEC/ME2 dated 14.3.2022 published in the *Tamil Nadu Government Gazette* Extraordinary No.164 dated 14.3.2022.
4. Orders of the Hon'ble High Court of Madras in W.P.No.5842/2022 on 22.3.2022.

No. VI(2)/31(f)/2022.

WHEREAS, the Tamil Nadu State Election Commission has, inter-alia, fixed 4.3.2022 as the date for convening a meeting to elect the Chairman of Suleeswaranpatti Town Panchayat of Coimbatore District vide reference first read above;

WHEREAS, it has been stated by the Returning Officer of Suleeswaranpatti Town Panchayat that during the conduct of meeting to elect the Chairman, two ward members were contested for which the ballot papers were issued and the same were voted by 15 ward members of the said Town Panchayat and during the course of counting of votes, the father of the 5th ward member was entered into the council hall and tear off the ballot papers and put it into his pocket and went away from the council hall and due to the untoward incident, the election to the Chairman of Suleeswaranpatti Town Panchayat was postponed by the Returning Officer of Suleeswaranpatti Town Panchayat; vide reference second read above;

WHEREAS, the Tamil Nadu State Election Commission has, inter-alia, fixed 26.3.2022 as the date for convening a meeting to elect the Chairman of Suleeswaranpatti Town Panchayat of Coimbatore District vide reference third read above;

WHEREAS, a writ petition has been filed by Tmt.J.Vanitha, 2nd Ward Member of Suleeswaranpatti Town Panchayat, in W.P.No.5842/2022 before the Hon'ble High Court of Madras with a prayer to issue a writ of Mandamus directing the Returning Officer, Suleeswaranpatti Town Panchayat to issue Form 27 certificate dated 4.3.2022 declaring her as the Town Panchayat

President of Suleeswaranpatti Town Panchayat, Coimbatore. The case been heard by the Hon'ble High Court on 14.3.2022, 17.3.2022 and 22.3.2022, the Returning Officer of Suleeswaranpatti Town Panchayat disputed her signature and the same was also recorded by the Hon'ble High Court of Madras. The Hon'ble High Court of Madras has directed the Returning Officer of Suleeswaranpatti Town Panchayat to file a Counter to that effect. The Hon'ble High Court of Madras in its order dated 22.3.2022 stated that the Returning Officer of Suleeswaranpatti Town Panchayat has filed a Counter Affidavit on 22.3.2022 stating that the signature on Form No.27 belongs to her and also stated that not only the election was completed, but also the results were declared with the issuance of Form No.27 and it is by slip of tongue that she made a statement about her signature and disputed her signature on 14.3.2022 and from the above, it is quite clear that the Returning Officer has changed the version recorded in the earlier order passed by the Coordinate Bench on 14.3.2022 and in the counter affidavit now filed by her. It is apart from the fact that the State Election Commission should have taken a call on the subject matter because, it is not a case where election is yet to take place, rather the election was completed with declaration of results and subsequently, the ballot papers were taken away by one of the parties due to the lapse on the part of the Returning Officer or the Police Officer. The Hon'ble High Court of Madras has directed the State Election Commission to take a decision on the conduct of the Returning Officer of Suleeswaranpatti Town Panchayat after going through the CCTV footage of the counting of votes lying with the District Collector for necessary action in the matter and if in the counting of votes, the petitioner remained successful having obtained 8 votes while the respondent secured 7 votes, they have to justify the declaration and announcement of next date of election instead of maintaining the result of the election and further directed that till the decision is taken, the State Election Commission would not proceed with the fresh election in question. Further the Hon'ble High Court of Madras has directed the Learned Government Pleader would find out the status of the investigation pursuant to the FIR against the father of the fourth respondent; and

WHEREAS, in view of the above orders of the Hon'ble High Court of Madras in W.P.No.5842/2022, dated 22.3.2022, the Tamil Nadu State Election Commission has decided to delete the date already fixed for the meeting to elect the Chairman of Suleeswaranpatti Town Panchayat of Coimbatore District;

NOW, THEREFORE, in exercise of the powers conferred under sub-section (1) of section 43-B and section 27 of the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920) and rule 99 of the Tamil Nadu Town Panchayats, Municipalities and Corporations (Elections) Rules, 2006, the Tamil Nadu State Election Commission hereby makes the following amendment to S.O.No.26/2022/TNSEC/ME.II, dated 14.3.2022 published vide Notification No.164, published at pages 1 to 3 in Part VI—Section 2 of the *Tamil Nadu Government Gazette* Extraordinary dated 14.3.2022 :-

AMENDMENT

In the said Notification,

in the Annexure, in TOWN PANCHAYAT, the serial number 21 and the related entries thereto shall be deleted.

(By Order of the Tamil Nadu State Election Commission)

Chennai-600 106,
24th March 2022.

E. SUNDARAVALLI,
Secretary,
Tamil Nadu State Election Commission.